

Att'y Ref. No. 003-072

U.S. App. No.: 10/629,605

REMARKS

Favorable reconsideration, reexamination, and allowance of the present patent application are respectfully requested. The foregoing amendments to Claim 1 are made to correct typographical errors.

Applicant first thanks Mr. Gartenberg for kindly commenting on the Abstract and the prior Amendment; the Abstract has been revised and, while the prior amendment complied with the version of 37 C.F.R. § 1.121 then in force, Applicant has made two minor amendments to Claim 1 to correct typographical errors, which obviates the need for a clean copy of the claims.

Applicant elects the species illustrated in Figure 1 for further prosecution on the merits at this time; Applicant traverses the requirement to elect, because the requirement does not allege that the application contains claims directed to patentably distinct species, as required by M.P.E.P. §§ 806.04 et seq. Indeed, without the positive statement in an Office Action that at least two of the species are patentable over the other(s), Applicant is greatly handicapped when Applicant files divisional patent applications with claims directed to the non-elected species. Accordingly, Applicant respectfully submits that the requirement to elect species is improper and should be withdrawn, which is respectfully requested.

If the requirement to elect is maintained, at least Claims 1-6, 8-14, and 17-23 read on the elected species; at least Claims 1, 18, 19, 21, and 22 are generic to all the disclosed species.

Applicant respectfully submits that the present patent application is in condition for allowance. An early indication of the allowability of the present patent application is therefore respectfully solicited.

If Mr. Gartenberg believes that a telephone conference with the undersigned would expedite passage of the present patent application to issue, he is invited to call on the number below.

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It is not believed that extensions of time are required, beyond those that may otherwise be provided for in accompanying documents. If, however, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and the Commissioner is hereby authorized to charge any fees necessitated by this paper, and to credit any overpayments, to Deposit Account 50-2821.

Respectfully submitted,

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